

PUBLIC CHAPTER NO. 860

SENATE BILL NO. 3703

By Haynes

Substituted for: House Bill No. 3374

By Shepard, Favors

AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 3, Part 5, relative to movement of single family residences.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-3-502(a), is amended by deleting the word "and" at the end of subdivision (1) and by adding the following language:

provided that the value of the house may be greater than that of the existing residences and the size of the house may be larger than that of the existing residences; and

SECTION 2. Tennessee Code Annotated, Section 13-3-503, is amended by deleting subdivisions (2) and (3) in their entirety and by substituting instead the following language:

(2)(A) The value of existing residences within the developed area of single family residences, if the valuation of the residence being moved appraised, prior to being moved, at a value that is at least equal to the average appraisal of the existing structures within the developed area; provided that nothing in this subdivision shall be construed to prevent such residence from exceeding the value of such existing structures. In establishing the value of existing structures, the value of modular homes located in such developed area shall not be used in arriving at the average appraisal of the existing structures.

(B) If the value of the residence, prior to being moved, appraised at a value that is at least equal to the average appraisal of the existing structures within the developed area, then it shall be presumed that such residence shall appraise at least at the same or greater value once it is moved.

(C) In obtaining approval from a governing body identified in § 13-3-502, as proof that the value of the residence or appearance of the residence is consistent with the value or appearance of such existing residences, evidence may be

presented that includes photographs of the inside and outside of the residence to be moved as well as the appraised value of such residence as determined by the assessor of property, or the fair market value of such residence as determined by an independent appraiser. Such proof shall be a rebuttable presumption that the value and appearance of the residence is at least equal to the value and appearance of the existing structures within the developed area. Additional documents showing intended improvements may also be presented.

(3) The size of existing residences within the developed area of single family residences, if the size of the residence being moved is at least within one hundred square feet (100 sq. ft.) of the average size of the existing structures within the developed area, provided that nothing in this subdivision shall be construed to prevent such residence from exceeding such average square footage. In establishing the average size of existing structures, the square footage of modular homes shall not be used in making such calculations; and

SECTION 3. Tennessee Code Annotated, Title 13, Chapter 3, Part 5, is amended by adding the following language as a new section:

Section 13-3-504. All structural improvements which will affect the value and appearance of the residence moved to the developed area of single family residences shall be made to such residence within one (1) year of being moved into the area. If within one (1) year of such date improvements have not been completed on the residence at least equal to the average standards in the developed area, such residence shall be deemed to be in violation of the local government building codes, and penalties associated with such violations may begin to accrue in accordance with all relevant local building codes and ordinances adopted and in effect in the local jurisdiction where the residence is located.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 10, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 6th day of May 2008



PHIL BREDESEN, GOVERNOR